

ifw 3738
Attorney Docket No.: TRNSV-001C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Makower et al.)
Application No. 09/708,923)
Filed: November 8, 2000)
For: Methods and Apparatus for)
Bypassing Arterial Obstructions and/or)
Performing Other Anatomical Conduits)

Art Unit: 3738

Examiner: Isabella, David J.

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmittal Letter

Dear Sir:

- ☐ In accordance with Rule 136, the Commissioner is hereby petitioned for a ____ () month extension of time, extending to ____, **2004** the period for response to the Office action dated **April 1, 2004**. Check No. ____ for \$0.00 is enclosed.
- ☐ Enclosed is a certified copy of Serial No. _____ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- ☐ Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- ☐ A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- ☒ Enclosed herewith is a reply to Notice of Non-Compliance for filing in relation to the above-identified application. Entry and consideration of this Notice of Non-Compliance is requested.

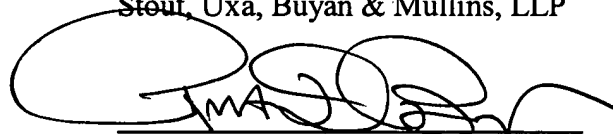
- ☐ Check No. ____ is enclosed covering the additional filing fees in the amount of \$0.00 , with the fees calculated as follows:

	(Col. 1) Claims Highest No. Remaining After Amendment	(Col. 2) Previously Paid For	(Col. 3) Present Extra	Small Entity Additional Rate	Small Entity Additional Fee	Other than a Small Entity Rate	Other than a Small Entity Fee
Total claims	18	- 19	= 0	x 9 \$ 0	Or x 18 \$		
Independent claims	1	- 1	= 0	x 42 \$ 0	Or x 84 \$		
First presentation of multiple dependent claims				+ 140 \$	Or + 280 \$		
				Total \$ 0	Or Total \$		

- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.

Respectfully submitted,
Stout, Uxa, Buyan & Mullins, LLP

Date: May 3, 2004

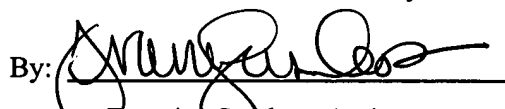

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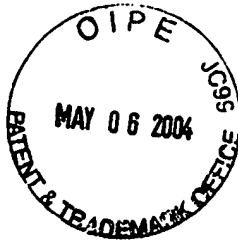
CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 3, 2004.

Dated: May 3, 2004

By: 
Francine Sanders, Assistant

Appl. No. 09/708,923
Reply to Office Action of April 1, 2004
Docket No. TRNSV-001C



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REPLY TO NOTICE OF NON-COMPLIANCE

DATED APRIL 1, 2004

Sir:

The previously submitted amendment was prepared in the format that was provided by the U.S. Patent and Trademark Office in the "Revised Notice" dated February 13, 2003 (copy attached). Thus, the amendment is believed to have complied with all requirements of the applicable regulations. Nonetheless, to advance prosecution of this application without further delay, please substitute the following for the previously filed amendment/response:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 15 of this paper.